

REMARKS

By this amendment, claims 28 and 33 have been cancelled and claims 26, 29 and 31 have been amended. Claims 1-25 have been previously cancelled. Accordingly, claims 26-28, 30-32 and 34 are currently pending in the application, of which claims 26 and 31 are independent claims.

In view of the above amendments and the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

Claim Objection

In the Office Action, Claim 29 was objected to for an insufficient antecedent basis. This objection is respectfully traversed because, in this response, claim 29 has been amended to recite “the liquid crystal display further comprises a buffer layer covering the disconnected portions of the black matrix”. Thus, withdrawal of the objection is respectfully requested.

Claims 28 and 33 were objected to for failing to further limit the subject matter of independent claim 26. This objection is respectfully traversed because, in this response, claims 28 and 33 are cancelled. Thus, withdrawal of the objection is respectfully requested.

Double Patenting

Claims 26 and 31 stand provisionally rejected under the judicially created doctrine of non-obviousness type double patenting as being unpatentable over claims 4 and 18 of the copending Application No. 09/853,642. This rejection is respectfully traversed.

In this response, Applicants timely file a Terminal Disclosure attached hereafter to overcome the provisional rejection based on the non-statutory double patenting rejection of claims 26 and 31. Thus, withdrawal of the rejection of claims 26 and 31 is respectfully requested.

Claims 27-30 stand provisionally rejected under the judicially created doctrine of non-obviousness type double patenting as being unpatentable over the copending Application No. 09/853,642 in view of U. S. Patent No. 5,929,235 issued to Han, et al. ("Han"), further in view of U. S. Patent No. 5,128,786 issued to Yanagisawa ("Yanagisawa") and further in view of U. S. Patent No. 6,297,862 issued to Murade ("Murade"). This provisional rejection is respectfully traversed.

As well known, obviousness-type double patenting requires rejection of a claim when the claimed subject matter is not patentably distinct from the subject matter claimed in a commonly owned patent (or, in this case, the co-pending application). Thus, in determining obviousness, *only the co-pending application* should be compared to the current application.

The Examiner stated that the subject matter of claims 27-30 would have been obvious over the co-pending application in view of Han, Yanagisawa and Murade. The fact that Han, Yanagisawa and Murade are combined with the co-pending application evidences that the subject matter or claims 27-30 would not have been obvious over the co-pending application alone. Since the subject matter of claims 27-30 would not have been obvious over the co-pending application, it is respectfully submitted that the provisional double patenting rejection is inappropriate. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 32-34 stand provisionally rejected under the judicially created doctrine of non-obviousness type double patenting as being unpatentable over the co-pending Application No. 09/853,642 in view of Han and further in view of Yanagisawa. This provisional rejection is respectfully traversed.

As previously mentioned, the fact that Han and Yanagisawa were combined with the co-pending application evidences that the subject matter of the rejected claims would not have been obvious over that the co-pending application. Since the subject matter of claims 32-34 would not have been obvious over the co-pending application, it is respectfully submitted that the provisional double patenting rejection is inappropriate. Accordingly, withdrawal of the rejection is respectfully requested.

Rejections Under 35 U.S.C. § 103

Claims 26-28 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Han and Yanagisawa. Applicants respectfully traverse this rejection for at least the following reasons.

Amended independent claim 26 recites “a black matrix formed on said first substrate, wherein the black matrix is mesh-shaped and has opening portions at pixel areas” and “wherein the black matrix is *disconnected at portions between two adjoining gate lines*”. An example of these claimed features are shown in Fig. 1 of the present application, in which the black matrix 92 and 94 are disconnected at portions between the two adjoining gate lines 22.

As the Examiner admitted previously, Han does not show a black matrix itself formed on the same substrate with the gate line assembly and the data line assembly. Yanagisawa is

directed to a passive LCD device, which has a structure and operational principle substantially different from the claimed active LCD device. For example, in Yanagisawa, there is no concept of gate lines, data lines and a TFT formed on a substrate. Thus, Yanagisawa cannot disclose or suggest “the black matrix is *disconnected at portions between two adjoining gate lines*”, as claimed.

Yanagisawa shows a black matrix 16 formed on the substrate 12 in Figs. 5-9. As shown in Figs. 6-9, the black matrix comprises a plurality of separated portions. However, Yanagisawa is directed to blocking the portions not covered by the signal lines and the scanning lines, Yanagisawa teaches away from the concept of separating the black matrix at portions between two adjoining wires, as claimed.

For these reasons, it is respectfully submitted that the subject matter of claim 26 would not have been obvious from the asserted combination of Han and Yanagisawa. Thus, it is submitted that claim 26 is patentable over the cited references. Claims 27 and 28 that are dependent from claim 26 would be also patentable at least for the same reasons.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of claims 26-28.

Claim 30 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Han and Yanagisawa, and further in view of Murade. Applicants respectfully traverse this rejection for at least the following reasons.

Claim 30 is dependent from independent claim 26. As previously mentioned, amended claim 26 is believed to be patentable over Han and Yanagisawa. For example, none of the cited

references discloses or suggests “the black matrix is *disconnected at portions between two adjoining gate lines*”. Murade is directed to forming a black matrix 7 below the TFT, but does not disclose or suggest “the black matrix is *disconnected at portions between two adjoining gate lines*”. Since none of the cited reference discloses or suggests this claimed feature, claim 26 would not have been obvious over the asserted combination of Han, Yanagisawa and Murade.

Thus, it is submitted that claim 26 is patentable over the cited references. Claim 30 that is dependent from claim 26 would be also patentable at least for the same reason. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of claim 30.

Claims 31-33 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Han in view of Yanagisawa and further in view of U. S. Patent No. 5,956,103 issued to Ishiguro (“Ishiguro”). Applicants respectfully traverse this rejection for at least the following reasons.

Amended independent claim 31 recites “forming a black matrix on an insulating substrate, wherein the black matrix is mesh-shaped and has opening portions at pixel areas” and “wherein the black matrix is *formed disconnected at portions between two adjoining gate lines*”. As previously mentioned, this claimed feature is not disclosed or suggested from Han and Yanagisawa.

Ishiguro discloses a conductive light shielding film 2 formed on the lower substrate and having an opening portion at a pixel area. However, Ishiguro does not disclose or suggest “wherein the black matrix is *formed disconnected at portions between two adjoining gate lines*”,

as claimed. Since none of the cited reference discloses or suggests this claimed feature, claim 31 would not have been obvious over the asserted combination of Han, Yanagisawa and Ishiguro.

Thus, it is submitted that claim 31 is patentable over the cited references. Claim 32 and 33 that are dependent from claim 31 would be also patentable at least for the same reason.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of claim 31-33.

Claim 34 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Han in view of Yanagisawa, in view of Ishiguro and in view of Murade. Applicants respectfully traverse this rejection for at least the following reasons.

Claim 34 is dependent from claim 31. As previously mentioned, none of the cited referenced discloses or suggests “wherein the black matrix is *formed disconnected at portions between two adjoining gate lines*”, as recited in claim 31.

Thus, it is submitted that claim 31 is patentable over the cited references. Claim 34 that is dependent from claim 31 would be also patentable at least for the same reason. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of claim 34.

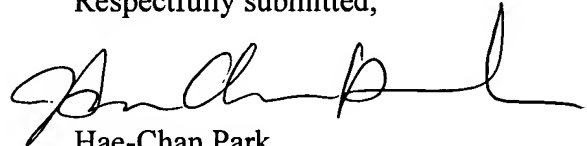
CONCLUSION

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,



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